

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

June 17, 2010

[Cite as *06/17/2010 Case Announcements*, 2010-Ohio-2752.]

MERIT DECISIONS WITH OPINIONS

2008-1693. State v. Arnold, Slip Opinion No. 2010-Ohio-2742.

Franklin App. No. 07AP-789, 2008-Ohio-3471. Judgment of the court of appeals affirmed in part and reversed in part, and cause remanded to the court of appeals.

Lundberg Stratton, O'Connor, Lanzinger, and Cupp, JJ., concur.

Pfeifer and O'Donnell, JJ., dissent.

Brown, C.J., not participating.

2009-0015. Spitznagel v. State Bd. of Edn., Slip Opinion No. 2010-Ohio-2715.

Franklin App. No. 07AP-757, 2008-Ohio-5059 and 2008-Ohio-6080. Judgment of the court of appeals affirmed.

Lundberg Stratton, O'Connor, and Lanzinger, JJ., concur.

Pfeifer, J., concurs in judgment only.

O'Donnell and Cupp, JJ., dissent.

Brown, C.J., not participating.

2009-1414. State v. Luna, Slip Opinion No. 2010-Ohio-2694.

Cuyahoga App. No. 91271, 2009-Ohio-2712. Judgment of the court of appeals reversed in part, and cause remanded to the trial court.

Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

Brown, C.J., not participating.

2009-1838. State v. Knepper, Slip Opinion No. 2010-Ohio-2695.

Summit App. No. 24682, 184 Ohio App.3d 416, 2009-Ohio-5159. Judgment of the court of appeals affirmed.

Brown, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

2009-1994. State v. Throckmorton, Slip Opinion No. 2010-Ohio-2693.

Highland App. No. 08CA17, 2009-Ohio-5344. Judgment of the court of appeals reversed in part, and cause remanded to the trial court.

Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

Brown, C.J., not participating.

2009-2149. State v. Hall, Slip Opinion No. 2010-Ohio-2696.

Montgomery App. No. 22901, 2009-Ohio-6016. Judgment of the court of appeals affirmed.

Brown, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

2009-2301. Disciplinary Counsel v. Noel, Slip Opinion No. 2010-Ohio-2714.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 09-046. Gerald Thomas Noel Jr., Attorney Registration No. 0063972, is suspended from the practice of law in Ohio for two years, with six months stayed on conditions.

Lundberg Stratton, O'Connor, Lanzinger, and Cupp, JJ., concur.

Pfeifer and O'Donnell, JJ., would suspend respondent from the practice of law in Ohio for two years but would stay 18 months of the suspension.

Brown, C.J., not participating.

MOTION AND PROCEDURAL RULINGS

2010-0251. State v. Lynn.

Montgomery App. No. 22946, 185 Ohio App.3d 390, 2009-Ohio-6812. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. Upon consideration of appellee's motion for appointment of counsel,

It is ordered by the court that the motion is granted.

It is further ordered by the court that Melissa M. Prendergast of the Ohio Public Defender's Office is appointed to represent appellee.

DISCIPLINARY CASES

2010-0253. Columbus Bar Assn. v. Williams.

On February 8, 2010, the Board of Commissioners on Grievances and Discipline filed a final report in the office of the Clerk of this court pursuant to BCGD Proc. Reg. 11(D), in which it accepted the agreement entered into by relator, Columbus Bar Association, and respondent, Lewis Eugene Williams. The agreement set forth the misconduct and the agreed, recommended sanction of a two-year suspension with the entire suspension stayed. The board recommended that the agreement be accepted. The court, sua sponte, issued an order waiving the issuance of a show cause order, and this matter was submitted to the court on the report and record filed by the board.

It has come to the court's attention that the affidavit submitted by respondent does not include a statement that he agreed to the sanction recommended by the board, as required by BCGD Proc.Reg. 11(B)(4). It is hereby ordered by the court, sua sponte, that this cause is remanded to the Board of Commissioners on Grievances and Discipline for further proceedings. Proceedings before this court in this case are stayed until further order of this court. Costs to abide final determination of the case.

It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

MISCELLANEOUS DISMISSALS

2010-0893. State ex rel. Rice v. Dartt.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

2010-0973. State ex rel. Ohio Farmers Ins. Co. v. Collier.

In Procedendo and Prohibition. This cause originated in this court on the filing of a complaint for a writ of procedendo and prohibition. Upon consideration of relator's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.